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PATENT APPLICATION

ATTORNEY DOCKET NO. 10017481 -1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Blaine D. Gaither et al

Confirmation No.: 5798

Application No.: 10/004195

Examiner: Elmore, Reba

Filing Date: Oct 31, 2001

Group Art Unit: 2187

Title: Computer Performance Improvement By Adjusting A Time Used For Preemptive Eviction  
Of Cache Entries

Mail Stop Appeal Brief-Patents  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 06/03/2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

|                  |           |
|------------------|-----------|
| (X) one month    | \$120.00  |
| ( ) two months   | \$450.00  |
| ( ) three months | \$1020.00 |
| ( ) four months  | \$1590.00 |

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( ) The extension fee has already been filled in this application.

( ) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: \_\_\_\_\_

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300 on Sept. 2, 2005

Number of pages:

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Blaine D. Gaither et al

By Augustus W Winfield

Augustus W Winfield

Attorney/Agent for Applicant(s)

Reg. No. 34,046

Date: Sept. 2, 2005